REMARKS

Requirement for Election

Applicants affirm the provisional election of the claims of GROUP III, drawn to antibodies. Applicants have herein cancelled non-elected claims 1-37.

Objection to the Specification

The Examiner objected to the specification as not reciting "Brief Description of the Drawings" to describe the drawings. Applicants have herein amended the specification to recite "Brief Description of the Drawings" and therefore request reconsideration and withdrawal of this objection to the specification.

Requirement to Comply with Sequence rules

The Examiner required that Figures 1, 5A, and 5B, or the corresponding "Brief Description" reference sequence identifiers. Applicants have added sequence identifiers to the description of Figures 1 and 5A and 5B at page 2 and therefore request reconsideration and withdrawal of this requirement.

Applicants submit herewith a replacement SEQUENCE LISTING which: (1) addresses the errors noted in the Raw Sequence Listing Error Report, and (2) adds SEQ ID NO:6. The latter is supported in the specification at page 2, lines 19-20, and by Example 11 at page 51 and Figure 5A and 5B.

Objection to Claim 38

The Examiner objected to claim 38 as being dependent upon non-elected claim 5. Applicants have herein amended claim 38 so that it does not depend upon a non-elected claim, and therefore request reconsideration and withdrawal of this objection.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 38 and 39 as being anticipated by Arizumi et al, U.S. Patent No. 6,046,158. In making this rejection the Examiner alleged that "Arizumi teaches

the production of monoclonal antibodies against dectin-1," that "[d]ectin-1 comprises the amino acid sequence of SEQ ID NO:2," and that "SEQ ID NO:2 disclosed by Arizumi contains a sequence, 'Val Val Ala Ala val Leu' at position 59-64, which is identical to amino acids 41-46 present in SEQ ID NO:2 of instant application." Office Action at page 6. From this the Examiner concludes that a monoclonal antibody raised to fragments comprising or consisting of that sequence would reasonably be expected to bind to the TRAIL-R of claim 5. Applicants respectfully traverse this rejection. Applicants note that the sequence is apparently located in the transmembrane domain of dectin-1 (see Fig. 1A of Arizumi) and is located in the signal peptide of TRAIL-R, and that the Examiner has presented no facts or reasoning that this hexamer is epitopic. Nevertheless, in the interest of advancing prosecution, Applicants have amended claim 38 to recite that the polypeptide is selected from the group consisting of amino acids 52-440 of SEQ ID NO:2 and fragments thereof.

In view of the above amendment and remarks, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102.

Applicants believe that the above amendment and remarks are fully responsive to the requirement and rejections in the outstanding office action. If a telephone interview would be helpful in advancing the prosecution of this application, Applicants' attorney invites the Examiner to contact her at the number provided below.

Respectfully submitted,

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES

In the Specification

The following is a marked up version of the section entitled "BRIEF DESCRIPTION OF THE FIGURES" at page 2, lines 1-20 of the specification. "FIGURES" has been amended to --DRAWINGS-- in the section heading, and a sequence identifier has been added to the description of Figures 1 and 5A and 5B.

BRIEF DESCRIPTION OF THE [FIGURES]DRAWINGS

Figure 1 presents the nucleotide sequence of a human TRAIL receptor DNA fragment (SEQ ID NO:3), as well as the amino acid sequence encoded thereby (SEQ ID NO:4). This DNA fragment is described in Example 3.

Figure 2 presents the results of the assay described in example 7. In the assay, a soluble TRAIL-R/Fc fusion protein blocked TRAIL-induced apoptosis of Jurkat cells.

Figure 3 presents the results of the experiment described in example 8. The indicated compounds were demonstrated to inhibit apoptosis of cells expressing TRAIL receptor.

Figures 4A to 4C depict targeted insertion of a neo cassette into the Sma I site of the μ1 exon. The construct was employed in generating transgenic mice, as described in example 10. Figure 4A is a schematic diagram of the genomic structure of the μ locus. The filled boxes represent the μ exons. Figure 4B is a schematic diagram of the CmD targeting vector. The dotted lines denote those genomic μ sequences included in the construct. Plasmid sequences are not shown. Figure 4C is a schematic diagram of the targeted μ locus in which the neo cassette has been inserted into μ1.

Figures 5A and 5B present the nucleotide sequence (SEQ ID NO:6) of a vector designated pGP1k, as described in Example 11 below.

In the Claims

The following is a marked up version of claim 38.

38. (Amended) An antibody that is directed against a [TRAIL-R]TRAIL receptor (TRAIL-R) polypeptide [of claim 5]selected from the group consisting of:

a) amino acids 52-440 of SEQ ID NO:2; and

b) a fragment of (a), wherein said fragment is capable of binding TRAIL,

or an antigen-binding fragment of said antibody.